

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**MARTIN AGUILAR,**

**Plaintiff,**

**v.**

**No. CIV-14-0808 JAP/LAM**

**HARDING COUNTY, NEW MEXICO, et al.,**

**Defendants.**

**CONFIDENTIALITY ORDER**

**THIS MATTER** is before the Court on Plaintiff's *Unopposed Motion for an Order re Confidentiality of Plaintiff's Federal Income Tax Returns* (Doc. 60), filed September 4, 2015. Having considered the motion, the Court hereby **GRANTS** Plaintiff's motion and **ORDERS** that:

1. Plaintiff's federal income tax returns responsive to Defendants' document requests shall be deemed "CONFIDENTIAL" and shall be so marked by Plaintiff upon disclosure. Access to or knowledge of confidential matters shall be limited to Defendants and their counsel, Defendants' counsel's employees and assistants, Plaintiff's counsel and their employees and assistants, and the parties' retained experts. Except as provided below, further disclosure shall be made only with the prior written consent of Plaintiff or as ordered by the Court.

2. Any document marked "CONFIDENTIAL" which is filed in this case shall be filed for viewing by case participants and the Court only.

3. On request of counsel for Plaintiff, all persons making a sworn statement or attending a deposition in this matter shall identify for the record their name, address and employer,

shall be advised of the existence of this Confidentiality Order, and shall be asked on the deposition record, either prior to the beginning of the deposition or before any confidential matter is used, whether they agree to abide and be bound by the terms thereof. When requested by counsel, the court reporter shall agree that no copies of a deposition containing confidential matters shall be made available to any person except counsel for the parties, the Court, and deposition witnesses.

4. On issuance of this Confidentiality Order, the parties agree that the Confidentiality Order shall not prejudice the rights of Plaintiff to object to the records' admissibility in evidence at any time in the future.

5. Plaintiff's federal income tax returns and the content therein may be referred to in interrogatory answers, motions or briefs, and may be used in depositions, hearings or at trial, and marked as exhibits in this litigation, provided that the documents, or portions of Court or other papers where confidential matters are revealed, shall be marked "CONFIDENTIAL" and shall be treated in accordance with paragraph (2) above.

6. All persons other than (1) the Court and Court personnel, (2) counsel for the parties, and (3) the employees of counsel who, after receiving the consent of Plaintiff and his counsel, or express order by the Court, are allowed access to confidential matters, shall execute a written certification stating that the person has been provided with a copy of this Confidentiality Order, that the person understands the terms of the Confidentiality Order, and that the person agrees not to disclose any confidential matters except in accordance with the Confidentiality Order.

7. Copies of Plaintiff's federal income tax returns that have been produced to Defendants shall be returned to Plaintiff's counsel at the conclusion of this litigation.

**IT IS SO ORDERED.**

  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**

Submitted and approved by: (*Prior to modification by the Court*)

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